



THE FLORIDA STATE UNIVERSITY  
OFFICE OF THE DEAN OF THE FACULTIES

October 6, 2011

Dr. Eric Barron  
President  
211 Westcott Building

Dear Eric:

I am responding to update you regarding my analysis of and discussions about the recommendations contained in the Koch Foundation Memorandum of Understanding with the College of Social Sciences and Public Policy.

Regarding the conflict of interest cited on page 7 of the report (between the chair's role in negotiating the agreement and his concurrent role as co-chair of the doctoral committee of an agent of the donor), there appear to be no existing university policies that would have addressed this issue directly. Other than policies addressing specific ethical lapses such as sexual harassment, no guidelines regarding avoidance of conflicts of interest for major professors are found in the *Graduate Bulletin*, and the Foundation does not provide such guidelines for chairs in their role as fundraisers. Dean of the Faculties policies regarding conflict of interest, which are derived from State Statutes, relate to faculty employment outside the University, not to conflicts between a chair's academic and administrative roles within the University. One of the unique aspects of this situation is that it involves a very different power dynamic than most faculty-student interactions, because the graduate student could be seen as wielding a certain amount of financial control over the chair.

In discussions with Tom Jennings, VP for Advancement, he has indicated that he is willing to work with Provost Stokes and the Dean of the Faculties to develop a set of guidelines for faculty fundraisers that would provide guidance in these types of ethically challenging scenarios. The Faculty Senate Ad Hoc Committee that studied the Koch MOU noted that the University of North Carolina model (see attached) is worth using as a starting point for such a policy. Thus, I recommend that you charge the group mentioned above to work with the Faculty Senate President to develop such a policy. In addition, Dean of the Graduate School Nancy Marcus is open to engaging the Graduate Policy Committee in discussions regarding potential conflicts of interest in the major professor role.

There are several curricular issues mentioned in the Faculty Senate Ad Hoc Committee report related to the specific circumstances of the Koch gift, and many more could occur at any time under our current procedures for faculty review of courses, certificates, majors, and degrees. This results from the fact that once a gift agreement is settled by the donor, the Foundation, and the academic unit, that agreement becomes invisible in the faculty governance processes designed to make decisions regarding the shape of the curriculum. There is simply no information available to those committees to indicate that any request is tied to a donor's wishes.

After consultation with the Faculty Senate President, I suggest that whenever a curricular request is related to a donor agreement, the specifics of that agreement be shared with the appropriate faculty body reviewing the request. This requirement would be incorporated into the guidelines mentioned above as well as into all appropriate curricular request forms. On a specific note, the University Curriculum Committee has been instructed by the Faculty Senate President to take action regarding recommendation #4: re-consider the approval of ECO 3131. I have also confirmed with Dean Rasmussen that the Department of Economics will begin the process of revising its by-laws to comply with the committee's recommendations under the leadership of a new Chair, with the goal of "making all relationships transparent" and will submit those revised by-laws to this office.

Provost Stokes plans to use the development of the ethical guidelines described above to have discussions with deans regarding how to maintain academic independence while having a robust fundraising culture in our colleges and departments. She will also collaborate with VP Tom Jennings to highlight this issue in the training planned for deans (and possibly selected chairs) later this year.

Please let me know if you have questions regarding this response. If approved, I look forward to contributing to these initiatives in any appropriate way during the remainder of my time as Interim Dean of the Faculties.

Sincerely,

Jennifer N. Buchanan  
Interim Dean of the Faculties and Deputy Provost

cc: Garnett Stokes  
David Rasmussen  
Nancy Marcus  
Sandra Lewis

Enclosure